

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: None of the prior art references of record, singly or combined, teaches or suggests PVOH particles having the specific particle size and porosity properties as claimed. The Terminal Disclaimers filed March 27, 2008 have overcome the double patenting rejections.

1.1. The US Patent 5,888,930 to Smith et al teaches controlled release beads having larger pores in the interior and smaller pores at the surface. However, Smith does not teach PVOH or polysaccharide as the material for the controlled release beads. PVOH is a known material for microembolization; however, it would not have been obvious to substitute the materials taught in the Smith patent with PVOH because one would not have envisioned the use of controlled release beads in embolization.

1.2 WO 01/66016 teaches PVA in embolization but fails to teach the interior-to-surface pore-size gradient as claimed. The drawing figures 1A and 1B appear to suggest a pore-size gradient in opposite direction to the claimed gradient.

1.3. Other pertinent references have been predated by the effective filing date (August 09, 2002) of the instant application.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to H. T. Le whose telephone number is 571-272-1511. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mondays to Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. Thi Le/
H. (Holly) T. Le
Primary Examiner
Art Unit 1794

June 11, 2008